

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
(Rural Development)
Plaintiff

CIVIL NO. 98-1470 (SEC)

FORECLOSURE OF MORTGAGE

v.

EDGARDDO LUIS CIRINO PIZARRO,
CARMEN LAURA QUIÑONEZ A/K/A
CARMEN LAURA QUIÑONEZ OSORIO and
the conjugal partnership
constituted by both
Defendants

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U.S. DISTRICT COURT
SAN JUAN, P.R.

NUNC PRO TUNC AMENDED ORDER FOR EXECUTION OF JUDGMENT

Upon motion filed by plaintiff herein, and it appearing from the records of this Court in the above mentioned case that the defendants referred to in the judgment entered by this Court were duly summoned and said defendants have failed to pay to the plaintiff the sums of money adjudged to be paid under said judgment:

And it appearing further that more than ten (10) days have elapsed from the entry of Judgment:

NOW, THEREFORE, the Court hereby orders the United States Marshal for this District to proceed forthwith and to sell at public auction to the highest bidder, the property referred to in said judgment and described herein below in the manner and form provided in said judgment and as herein further provided:

"URBANA: Solar radicado en la Urbanización Reparto El Cabo, situada en el Barrio Mediania Baja de Loíza, Puerto

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12

USA v. Edgardo Luis Cirino Pizarro, et als.
Civil No. 98-1470 (SEC)
Page 2

Rico, que se describe en el Plano de Inscripción con el número, area y colindancias que a continuación se relacionan: NUMERO DEL SOLAR; BLOQUE "C", SOLAR TRECE; AREA DEL SOLAR; DOSCIENTOS TREINTA Y UNO PUNTO CERO CERO CERO METROS CUADRADOS, COLINDANCIAS; Por el Norte, en veintidos punto cero cero metros con el solar número doce del Bloque "C", por el Sur, en veintidos punto cero cero metros con el solar número catorce del Bloque "C", por el Este, en diez punto cincuenta metros con Ambrosio de Jesús; y por el Oeste, en diez punto cincuenta metros con la Calle Cinco de la Urbanización. Por la colindancia Este de este solar discurre un servidumbre de teléfono a favor de la Puerto Rico Telephone Company con un ancho de Uno punto cincuenta metros. Contiene una casa Modelo "A" de concreto y bloques para una familia, con pared medianera en su lado Norte, o sea, su colindancia con la casa enclavada en el solar número doce del Bloque "C". La toma soterrada de electricidad de este solar y el solar número doce del Bloque "C" es propiedad en comunidad y el costo de corregir averia o de ejecutar cualquier reparación de dicha toma no cubierta por la fianza requerida para este proposito a Lacco Development Corp., será responsabilidad de los propietarios de estos solares.

Plaintiff's first mortgage for the amount of \$24,700.00, later modified to \$16,541.51 was recorded at page 93 and volume 143 of Loíza, property number 7684, 3rd Inscription at the Registry of the Property of Carolina I, Puerto Rico.

Plaintiff's second mortgage for the amount of \$28,300.00 was recorded at page 95, volume 143 of Loíza, property number 7684, 5th inscription at the Registry of the Property of Carolina I, Puerto Rico.

USA v. Edgardo Luis Cirino Pizarro, et als.
Civil No. 98-1470 (SEC)
Page 3

a) Said public sale shall be held at the office of the Marshal for Superior Court of Puerto Rico, Carolina Part, in accordance with 28 U.S.C. 2001.

b) Notice of Sale shall be published once a week for at least four (4) weeks prior to the sale in at least one newspaper of general circulation in accordance with 28 U.S.C. 2002.

c) The amount of \$24,700.00 for the first mortgage and the amount of \$53,000.00 for the second mortgage shall serve as the minimum bid for the first public sale. Should the first public sale fail to procure an award or adjudication, two-thirds of the aforementioned amount shall serve as the minimum bid for the second sale. Should there be no award or adjudication at the second public sale, the basis for the third sale shall be one-half of the amount specified as the minimum bid for the first public sale. Should there be no award or adjudication in this public sale the same may be awarded to the creditor for the amount of the debt if this is equal to or less than the amount of the minimum bid of the third auction, and crediting this amount to the amount owed if it is more.

d) The United States Marshal shall not accept in payment of the property to be sold anything but United States currency or

USA v. Edgardo Luis Cirino Pizarro, et als.
Civil No. 98-1470 (SEC)
Page 4

certified checks in his name, except in case the property is sold and adjudicated to the plaintiff, in which case the amount of the bid made by said plaintiff shall be credited and deducted from its credit; said plaintiff being bound to pay in cash or certified check only any excess of its bid over the secured indebtedness when remaining unsatisfied.

e) All junior lienholders shall pay in cash or in certified check the total amount of previous liens, and any sum in excess of said previous liens shall be credited to their respective liens.

f) The United States Marshal may, either personally or by some person designated by him to act in his name and his authority, adjourn the sale from time to time, without further publication, but only by order of this Court.

g) Upon the confirmation of said sale by this Court the United States Marshal shall execute and deliver a deed of conveyance of the property sold to the purchaser thereof.

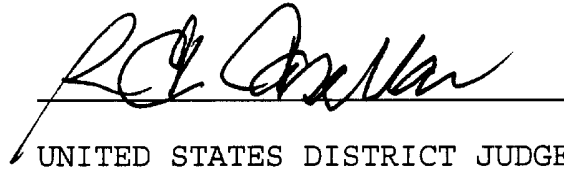
h) The purchaser shall be entitled to the delivery of the property sold and its physical possession and the United States Marshal may deliver said possession through the eviction of the occupant of the property without the need of any further order.

i) The Property Registrar of the corresponding Property Registry of Puerto Rico shall proceed to the recording of the

USA v. Edgardo Luis Cirino Pizarro, et als.
Civil No. 98-1470(SEC)
Page 5

judicial sale deed in favor of the purchaser, free of any liens
subsequent to the date of the execution of the foreclosed mortgage.

SO ORDERED in San Juan, Puerto Rico, this 15 day of
November, 1999.


UNITED STATES DISTRICT JUDGE

